

line 3, delete "infectious parasites".

Kindly add the following new claim.

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--28. A nucleotide sequence comprising the nucleotide sequence of an autonomous parvovirus, and at least one effector nucleotide sequence encoding a polypeptide which effects the destruction or normalization of cells infected by intracellular infectious parasites, wherein the effector nucleotide sequence comprises at least one sequence selected from the group consisting of nucleotide sequences that encode:

-a cytotoxic polypeptide or at least one fragment of this polypeptide,  
-a molecule which confers on the transfected cell sensitivity to a radioactive toxic agent, and

-at least one polypeptide which increases an immune response.

#### REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1, 3-16 and 22-28 are pending in this application. Claims 2 and 17-20 have been cancelled without prejudice or disclaimer. Claims 1, 10, 26 and 27 have been amended to better define the subject matter of the invention without narrowing the scope thereof. Support for the amendments can be found in the original claims as filed. In particular, claim 10 was rewritten in independent form to incorporate the subject matter of claim 1, from which

claim 10 originally depended. New claim 28 has been added, support for which can be found, *inter alia*, in original claims 1 and 10, and at page 11, line 35. No new matter is believed to have been introduced by these amendments.

Applicants have filed this CPA in response to the Examiner's assertion of U.S. Patent No. 5,585,254 as prior art against the claimed invention. Applicants believe that this citation does not constitute prior art for the instant application.

The claimed invention comprises a nucleotide sequence of an oncoselective autonomous parvovirus. Maxwell '254 only describes an autonomous parvovirus in the specification of application Serial No. 42,419, filed April 2, 1993 as a CIP of Serial No. 685,625, filed April 15, 1991. The claimed invention, by contrast, is supported in its Belgian priority document filed December 10, 1992. Therefore, Maxwell '254 is not prior art for the claimed invention, and request that the Examiner reconsider his application of this reference.

Applicants respectfully submit that the application is in condition for allowance, and notice to that effect is earnestly solicited.

Respectfully submitted,

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